

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Blanton Banks, II,
Plaintiff,
v.
Trans Union, LLC, et al,
Defendant.

Case No.: 2:21-cv-01580-CDS-DJA
AFFIDAVIT OF MICHELLE DOVE

COUNTY OF RAMSEY §
STATE OF MINNESOTA §

BEFORE ME, the undersigned authority, on this day personally appeared Michelle Dove, known to me to be the person whose name is subscribed on this instrument and, having been first duly sworn, upon his oath deposes and states as follows:

1. My name is Michelle Dove. I am of legal age and of sound mind and have personal knowledge of the facts set forth in this Affidavit. I am authorized to make this Affidavit on behalf of I.C. System, Inc. ("ICS") and am competent to testify to the matters contained in this Affidavit. I swear that every statement made in this Affidavit is made on my personal knowledge and is true and correct.

2. I am the General Counsel and Chief Compliance Officer for ICS. In this role, I am familiar with the ICS' internal processes and record keeping. In this role, I also function as a custodian of records maintained by ICS. I am familiar with the manner in which ICS records are created and maintained by virtue of my duties and responsibilities.

3. I am familiar with the lawsuit filed by Plaintiff Blanton Banks, II ("Plaintiff") against ICS, and I have reviewed the files and documents that ICS maintains concerning Plaintiff, Plaintiff's account at ICS, and the lawsuit filed by Plaintiff against ICS. In my role at ICS, I am familiar with and oversee the handling of litigation matters, including lawsuits filed by individuals against ICS.

4. Attached hereto this Affidavit are the following documents:

Exhibit B: ICS' Account Notes for Plaintiff

Exhibit C: ICS' Correspondence to Plaintiff

Exhibit D: Correspondence received from Plaintiff.

5. An account for a debt owed by Plaintiff to Pms - Winter Garden was placed with ICS on February 22, 2017. Exhibit B.

6. ICS sent its initial notice to Plaintiff via US Mail on February 24, 2017. Exhibit C at 2.

7. A copy of the letter is attached hereto. Exhibit C at 2.

8. This letter was not returned as undeliverable, and ICS received no other indication that the letter was not successful delivered. Exhibit B.

9. ICS marked the debt as disputed for the purposes of credit reporting on June 25, 2018, in response to an electronic dispute received from a credit reporting agency. Exhibit B at 11.

10. ICS received a written request for validation and dispute from Plaintiff on or around November 8, 2018. Exhibit D at 2.

11. This request for validation was received more than one (1) year after ICS sent the initial notice to Plaintiff. Exhibit C at 2; Exhibit D at 2.

12. ICS was not required to respond to this request for validation, due to the amount of time that had passed since the initial notice.

13. However, ICS respects the rights of an individual, under the relevant state and federal laws, and strives to provide individuals with as much information concerning accounts that ICS can provide.

14. As a result, ICS requested and received documents validating the account, and subsequently pass those documents along to Plaintiff on December 6, 2018. Exhibit C at 6-15.

15. ICS received another written request for validation and dispute from Plaintiff on or around December 10, 2018. Exhibit D at 4.

16. ICS was not required to respond to this request for validation, due to the amount of time that had passed since the initial notice, and as ICS had previously responded to a request for verification, ICS did not respond to this request.

17. However, after receipt of the December 10, 2018 dispute letter, ICS ceased make calls or sending letters on the account. Exhibit B.

18. ICS continued to report the debt as disputed. *Id*.

19. On or around November 24, 2022, ICS received another request for debt validation from Plaintiff. Exhibit D at 6.

20. This letter demanded far more than ICS was required to provide under section 1692g of the FDCPA. *Id*.


21. ICS was not required to respond to this request for validation, due to the amount of time that had passed since the initial notice, and as ICS had previously responded to a request for verification, ICS did not respond to this request.

22. On or around February 3, 2021, ICS received yet another request for debt validation from Plaintiff. Exhibit D at 12.

23. Once again. the letter demand far more than ICS was required to provide under section 1692g of the FDCPA. *Id*.

24. ICS was not required to respond to this request for validation, due to the amount of time that had passed since the initial notice, and as ICS had previously responded to request for verification, ICS did not respond to this request.

FURTHER AFFIANT SAYETH NOUGHT



NAME: Michelle Dove

TITLE: General Counsel and Chief Compliance Officer
I.C. System, Inc.

1 SWORN TO AND SUBSCRIBED before me, a Notary Public, on this the 3rd day of
2 February 2023.

3 *Christine Leick*
4 Notary Public in and for the State of Minnesota

5 My Commission Expires:

6
7 01/31/2024

